

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT, E.D.N.Y.

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IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

★ JAN 9 2006 ★

BROOKLYN OFFICE

Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

This Document Relates to: All Cases

MEMORANDUM & ORDER

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**MEMORANDUM & ORDER APPROVING SET 91: 24 AWARDS AND 4 AWARD DENIALS
CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL PURSUANT TO ARTICLE 31(2) OF
THE RULES GOVERNING THE CLAIMS RESOLUTION PROCESS AND AUTHORIZING
PAYMENT FROM THE SETTLEMENT FUND**

KORMAN, C.J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, Special Master Helen B. Junz, appointed by the Court to supervise the Claims Resolution Process with Special Master Michael Bradfield, is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of 24 Awards listed in Annex A and of 4 Award Denials listed in Annex B to this Order, which have been certified by the Claims Resolution Tribunal (the "CRT") and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 24 Awards is US\$ 7,284,781.50 (SF 9,543,063.76 converted at a rate of 1.31 Swiss Francs per U.S. Dollar).

If the Court approves the ninety-first set and any previously submitted, but not yet approved sets, a total of 3,397 accounts, with a current value of US\$ 295,929,947.85, will have been awarded thus far under CRT I and CRT II combined. Under CRT II alone, including the Awards submitted with this letter, a total of 1,962 Awards for 3,190 accounts totaling US\$ 284,229,947.85, will have been made to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award amounting to US\$ 133,793.79.¹ Under CRT I, which took place from 1997 through 2000, 207 accounts, with a value of US\$ 11.7 million, were awarded as accounts belonging to Victims of Nazi Persecution.

¹ Because the size of the Batch 75 award made it an outlier that would have skewed the results, it was not included in the calculation of the average values.

Furthermore, a total of 730 Certified Denials will have been approved under CRT II. In 653 of these 730 Denials, the CRT concluded that the Claimant was not able to identify his or her relative as the Account Owner, in 55 cases the CRT concluded that the Account Owner closed the account and received the proceeds him/her self, in 17 cases the CRT determined that the Claimant was not entitled to the Account Owner's account, and in 5 cases the CRT determined that the evidence submitted was insufficient to support the existence of a bank account belonging to the Claimed Account Owner. Under CRT I no Denials were submitted to the Court.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 24 Awards are hereby approved for payment pursuant to Article 31(2) of the Rules;

ORDERED that for the payment of these 24 Awards certified by the CRT and approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 7,284,781.50 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account; and

ORDERED that the attached 4 Award Denials are hereby approved for release to the relevant Claimants.

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award or Award Denial, which information shall be filed with the Court under seal.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York
December 31, 2005

~~SO ORDERED:~~

s/Edward R. Korman

Edward R. Korman
United States District Judge

CLAIMS RESOLUTION TRIBUNAL

[Batch XCI] -Annex A - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of December 30, 2005 the following Awards for approval by the Court and payment by the Special Masters:

Account Owner Last Name and Claim Number	Award Amount (SFr.)
1. Askonas 501092/AV/AC	1,715,296.38
2. Färber 209026/NP; et al	162,500.00
3. Forgacs 202997/AC; 216098/AC	1,260,000.00
4. Guttman 501406/AK	204,750.00
5. Herz 221688/AC; 221689/SB	818,500.00
6. Katzenellenbogen 790450/WM	172,875.00
7. Kohn 211793/CN	189,250.00
8. Loebel 500476/JW	162,500.00
9. Luprecht 501638/SI	26,750.00
10. May 500813/NP	432,000.00
11. Mintz <i>et al.</i> 501649/BW	405,250.00
12. <i>Nachlass</i> C.L. Netter 500883/AC	304,850.00
13. Nordman 214236/MBC/AC	351,750.00
14. Plashkes 501637/BW	162,500.00
15. Reiter 224217/OW	206,681.25
16. Richter 216885/AK	162,500.00
17. Robitschek 501640/MI/AC	914,611.13
18. Rosenthal 774059/HB	189,250.00
19. Rothschild 741544/KG	362,125.00
20. Sachsel 501639/JW/AC	189,250.00
21. Sobernheim 501561/SJ; 501570/SJ	586,250.00
22. Turner 204900/AC; 203999/AC	211,875.00
23. Tobias 003774/CN; 003941/CN	189,250.00
24. Weil 212186/MBC	162,500.00
Total	9,543,063.76
Total amount in US Dollars²	7,284,781.50

² Exchange rate as of 30 December 2005 of 1.31 Swiss Francs per U.S. Dollar.

CLAIMS RESOLUTION TRIBUNAL

[Batch XCI] -Annex B - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the “Rules”), the Claims Resolution Tribunal hereby certifies as of December 30, 2005 the following Award Denial for approval by the Court:

- | | |
|------------------------------------|----------------|
| 1. Ehrenstein 003844/AE; 209747/AE | Entitlement |
| 2. Fürst 223081/CN | Entitlement |
| 3. Landau 209367/SB | Identification |
| 4. Stein 200803/MG | Identification |